



AGENDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
CITY OF PORT ORANGE

Meeting Date: Wednesday, November 11, 2020
Type of Meeting: Regular

Time: 9:00 AM
Location: Council Chambers
City Hall, 1000 City Center Circle

A. CALL TO ORDER

1. Attorney Overview of Special Magistrate Code Enforcement Process
2. Consideration of Minutes

B. FORMAL HEARING (COMPLIANCE OR NON-COMPLIANCE)

3. **CEB Case No.:** 20-1483

Respondent: Jodi Leigh Purdy

Address of Violation: 38 Golden Gate Circle, Port Orange, FL 32129

Code Officer: Dennis Boehmer

First Notified: 9/15/2020

Compliance: Yes

Cited for violation(s) - Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

4. **CEB Case No.:** 20-1466

Respondent: Dora B Powell

Address of Violation: 16 Golden Gate Circle, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 7/24/2020

Compliance: Yes

Cited for violation(s) - City of Port Orange Code of Ordinances, Chapter 42 (Nuisances), Article V Unsafe Conditions, Division 3 Abatement of Unsafe Structures, Section 42-108 Unsafe Conditions; Nuisance (a) (1) (3) (4) (6) (b).

2019 International Property Maintenance Code, Chapter 6 (Mechanical and Electrical

Requirements), Section 602 (Heating Facilities), 602.1 Facilities Required as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II, Section 14-26.

2019 International Property Maintenance Code, Chapter 6 (Mechanical and Electrical Requirements), Section 602 (Heating Facilities), 602.2 Residential Occupancies as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II, Section 14-26.

5. **CEB Case No.:** 20-1466

Respondent: Dora B Powell

Address of Violation: 16 Golden Gate Circle, Port Orange, FL 32129

Code Officer: Amanda Bonin

First Notified: 7/24/2020

Compliance: Yes

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

6. **CEB Case No.:** 20-0853

Respondent: Christian Alexis Palacios

Address of Violation: 859 Chickadee Dr., Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 5/19/2020

Compliance: No

Cited for violation(s) - City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 3 (Fences and Walls), (b) General Provisions, (4) Design and Maintenance, (d) Missing boards, pickets, or posts shall be replaced in a timely manner with material of the same type and quality.

7. **CEB Case No.:** 20-0121

Respondent: Donald & Susan Franchi

Address of Violation: 145 Wimbledon Ct., Port Orange, FL 32127

Code Officer: Scott Allman

First Notified: 8/6/2020

Compliance: No

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

8. **CEB Case No.:** 20-1564

Respondent: Marlene Schaffer

Address of Violation: 5348 Landis Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 3/4/2020

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

9. **CEB Case No.:** 20-1569

Respondent: First National Bank of America

Address of Violation: 5348 Landis Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 9/3/2020

Compliance: No

Cited for violation(s) - Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-33 Abandoned real property (a) Purpose and intent (b) Definitions (c) Applicability (d) Registration of abandoned property (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (e) Maintenance requirements (1) (2) (f) Security requirements (1) (2) (g) Immunity of enforcement officer (h) Additional authority (i) Penalties and enforcement of the City of Port Orange Code of Ordinances.

10. **CEB Case No.:** 20-1432

Respondent: Marlene Schaffer

Address of Violation: 5348 Landis Avenue, Port Orange, FL 32127

Code Officer: Dena Joseph

First Notified: 9/3/2020

Compliance: No

Cited for violation(s) - Chapter 1 (Scope and Administration), Section 108 (Unsafe Structures and Equipment), 108.1 (General), 108.1.1 (Unsafe Structures), 108.1.3 (Structure Unfit for Human Occupancy), 108.1.5 (Dangerous Structure or Premises), (1), (2), (3), (4), (5), (6), (7), (8), (10), (11), 108.6 (Abatement Methods), Section 109 (Emergency Measures), 109.1 (imminent Danger) of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Chapter 42, (Nuisances), Article V (Unsafe Conditions), Division 3 (Abatement of Unsafe Structures), 42-108 (Unsafe Conditions-Nuisance), (a) 1, 2, 3, 4, 5, 6 & (b) of the City of Port Orange Code of Ordinances.

City of Port Orange Land Development Code, Chapter 16 (Miscellaneous Regulations), Section 1 (Accessory Uses and Structures), (a) General, (b) Principal use and/or principal structure required, (1), (2), (3) & (4).

2018 International Property Maintenance Code, Chapter 5 (Plumbing Facilities and Fixture Requirements), Section 502 (required Facilities), 502.1 (Dwelling Units) as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

2018 International Property Maintenance Code, Chapter 5 (Plumbing Facilities and Fixture Requirements), Section 505 (Water System), 505.1 General as adopted by the City of Port Orange Code of Ordinances, Chapter 14, Article II.

11. **CEB Case No.:** 20-0607
Respondent: Alberta R. Hiller
Address of Violation: 5515 Nova Road, Port Orange, FL 32127
Code Officer: Dena Joseph
First Notified: 4/6/2020

Compliance: No

Cited for violation(s) - Chapter 42, (Nuisances), Article II (Garbage, Junk and Undergrowth), Section 42-26 (Cleanliness of property generally - duty of owner), (d) (Maintenance of improved residential lots) of the City of Port Orange Code of Ordinances.

Chapter 42, (Nuisances), Article II (Garbage, junk and undergrowth), Section 42-26 (Cleanliness of property generally-duty of owner), (h) Abutting property owner maintenance of parkages.

Chapter 42 (Nuisances), Article II (Garbage , Junk and Undergrowth), Section 42-32 Storage of vehicles, furniture, etc. of the City of Port Orange Code of Ordinances.

Chapter 42, (Nuisances), Article II, (Garbage, Junk and Undergrowth), Section 42-26, (Cleanliness of Property Generally-duty of owner), (f) Garbage, waste, trash, etc. prohibited of the City of Port Orange Code of Ordinances.

Chapter 70 (Traffic), Article II (Stopping, standing, and parking), Section 70-36 (Stopping, standing or parking prohibited in specified places), (a) (1) (k) (1), (2) & (3) of the City of Port

Chapter 3 (General Requirements), Section 308 (Rubbish and Garbage), 308.1 (Accumulation of rubbish or garbage) of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

Chapter 3 (General Requirements), Section 308 (Rubbish and Garbage), 308.3.2 (Containers) of the 2018 International Property Maintenance Code as adopted per Chapter 14, Article II of the City of Port Orange Code of Ordinances.

C. ORDER IMPOSING FINE/LIEN

D. ADJOURNMENT

NOTICES – PURSUANT TO SECTION 286.0105 OF THE FLORIDA STATUTES, IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SPECIAL MAGISTRATE WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY DOES NOT PREPARE OR PROVIDE SUCH A RECORD.



FOR SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY CLERK'S OFFICE (PHONE: 386-506-5563) AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE.



HELP FOR THE HEARING IMPAIRED IS AVAILABLE THROUGH THE ASSISTIVE LISTENING SYSTEM RECEIVERS CAN BE OBTAINED FROM THE CITY CLERKS' OFFICE.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA), IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS AN ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, CITYCLERK@PORT-ORANGE.ORG, AS FAR IN ADVANCE AS POSSIBLE, BUT PREFERABLY WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING OR HEARING DATE. IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 7-1-1 or 1-800-955-8771.

UPON REQUEST BY A QUALIFIED INDIVIDUAL WITH A DISABILITY, THIS DOCUMENT WILL BE MADE AVAILABLE IN AN ALTERNATE FORMAT. IF YOU NEED TO REQUEST THIS DOCUMENT IN AN ALTERNATE FORMAT, PLEASE CONTACT THE CITY CLERK WHOSE CONTACT INFORMATION IS PROVIDED ABOVE.